

**CITY OF CENTENNIAL,  
COLORADO**

**ORDINANCE NO. 2021-O-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE  
MUNICIPAL CODE CONCERNING TECHNICAL AMENDMENTS TO  
THE LAND DEVELOPMENT CODE AS WELL AS CHAPTERS 7 AND 10  
OF THE MUNICIPAL CODE CONCERNING GRAFFITI, STORAGE  
PODS AND DUMPSTERS**

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial (“City”) has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council adopted the Land Development Code (“LDC”) by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, through the implementation of the LDC, the City staff has identified the need for additional changes or modifications to the LDC in the nature of housekeeping or clean-up revisions in addition to changes of modifications to Chapters 7 and 10 of the Municipal Code concerning graffiti, storage pods and dumpsters; and

WHEREAS, at a duly noticed public hearing, the City of Centennial Planning and Zoning Commission recommended the proposed changes to the City Council for approval; and

WHEREAS, in conformance with the LDC, the public hearing before the City Council was properly noticed by publication in *The Centennial Citizen*; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,  
COLORADO, ORDAINS:**

**Section 1.** The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

**Section 2.** Section 12-2-205, entitled *Undesignated or Annexed Land*, shall be amended to add a new subsection (D), entitled *Zoning of Vacated Rights-of-Way*, which shall read in full as follows:

- D. Zoning of Vacated Right-of-Way.** Upon vacation of City right-of-way, the land vacated by the City shall automatically assume the zoning designation of the adjacent parcel unless otherwise rezoned by City Council.

**Section 3.** Table 12-2-306 is amended to make Public Interest or Special Event Temporary Uses a Permitted (P) use instead of a Limited (L) use.

**Section 4.** Section 12-2-404(C), entitled *Registration of Home-Based Businesses*, shall be repealed and replaced to read in full as follows:

C. **Registration of Home-Based Businesses.** Home-based businesses shall obtain and maintain at all times a valid business license with the City. Within an application for a business license for a home-based business, the licensee shall describe the nature of the home-based business and certify that it will comply with all of the standards of this Section.

**Section 5.** Section 12-2-409(B), entitled *Commercial Amusement, Indoor*, shall be repealed and replaced to read in full as follows:

B. **Commercial Amusement, Indoor.** Indoor commercial amusement is permitted as a use of existing buildings in the I district if it is demonstrated that:

1. The use is separated from existing heavy industrial uses by at least 600 feet; and
2. There are no parcels within 600 feet that are zoned I and have the potential to be occupied by a heavy industrial use because:
  - a. The parcels are developed with buildings or structures that are designed for heavy industrial use; or
  - b. The property is vacant and not the subject of an approved and valid development plan for a heavy industrial use.

**Section 6.** Section 12-2-409(D)(3), entitled *Recreation, Indoor, I District* shall be repealed and replaced to read in full as follows:

3. **I District.** Indoor recreation is permitted as a use of existing buildings in the I district if it is demonstrated that:
  1. The use is separated from existing heavy industrial uses by at least 600 feet; and
  2. There are no parcels within 600 feet that are zoned I and have the potential to be occupied by a heavy industrial use because:
    - a. The parcels are developed with buildings or structures that are designed for heavy industrial use; or
    - b. The property is vacant and not the subject of an approved and valid development plan for a heavy industrial use.

**Section 7.** Section 12-2-417(E)(2), entitled *Agricultural, Open Space, and Residential Districts*, shall be repealed and replaced to read in full as follows:

2. **Agricultural, Open Space and Residential Districts.** In the AG, RS, RA, RU, NC, and NI districts, any above-ground structure that occupies a footprint of greater than 50 square feet shall be screened from view by a 60 percent opacity bufferyard that includes a fence that is not less than six feet in height. Fences may be up to 14 feet in height to ensure that the above-ground

structure is adequately screened. In no case shall the fence be taller than one foot higher than the above-ground structure required to be screened.

**Section 8.** Section 12-2-417(E)(3), entitled *General Commercial, Business Park, Industrial and Education, Institutional, and Recreation Districts* shall be repealed and replaced to read in full as follows:

**3. General Commercial, Business Park, Industrial and Education, Institutional, and Recreation Districts.** In the CG, BP, I and ED districts, any above-ground structure shall be screened from view by a 40 percent opacity bufferyard that includes a fence that is not less than six feet in height. Fences may be up to 14 feet in height to ensure that the above-ground structure is adequately screened. In no case shall the fence be taller than one foot higher than the above-ground structure required to be screened.

**Section 9.** Section 12-2-425(F), entitled *Wireless Communications Facilities in the Public Right-of-Way*, shall be repealed and replaced to read in full as follows:

Wireless Communications Facilities may be permitted within the public right-of-way, subject to approval of a license agreement executed by the City Manager. Unless otherwise explicitly set forth within such license agreement, the City shall permit Wireless Communications Facilities in the public right-of-way in the following order of priority of attachment:

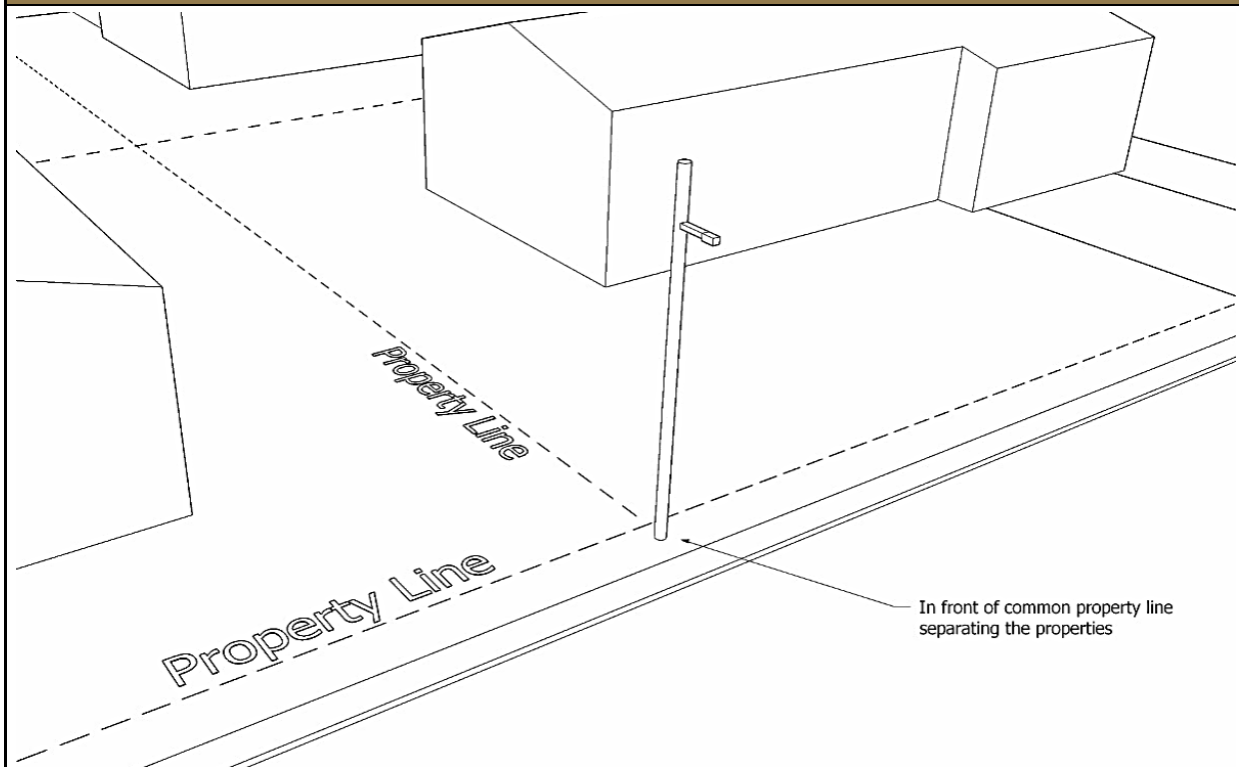
1. On City traffic signal poles or other City-owned poles in the public right-of-way;
2. On poles that are capable of supporting and approved for municipal lighting purposes by the City, purchased by the licensee with ownership of the lighting and appurtenances, conveyed by the licensee to the City (via bill of sale);
3. To the extent permitted by, and in conformance with, City regulations and ordinances, on the licensee's proprietary monopoles; or
4. On third-party poles under the terms of a fully executed pole attachment agreement with the owner of such poles. A licensee pursuant to an executed license agreement with the City for Wireless Communications Facilities in the public right-of-way must show good cause of impracticality to the City before the City may allow for a lower priority of attachment.

Additionally, all of the following standards must be met:

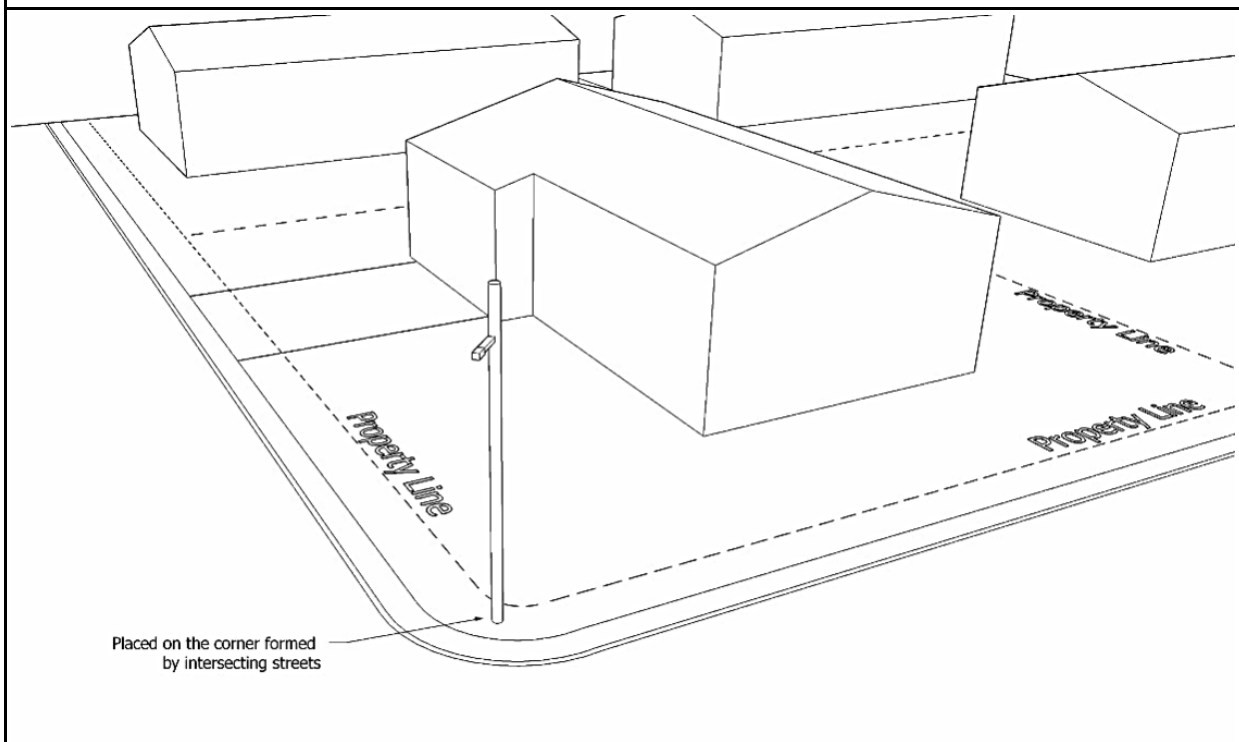
1. Attachment of facilities on an existing (or replacement) traffic light pole, street light standard, or other vertical infrastructure is encouraged. These facilities may be permitted provided that:
  - a. The owner of the vertical infrastructure approves the use;
  - b. The facility meets the definition of Camouflage and Concealment Design Techniques; and
  - c. The facility, either:
    - i. Does not exceed the height of the existing infrastructure on which it is mounted by more than ten (10) feet; or

- ii. Does not exceed the height limitations of subsection (F)(2)(b), whichever results in a lesser height, unless the facility is attached to existing vertical infrastructure that exceeds the height limitations of subsection (F)(2)(b) and the facility does not exceed the height of the existing infrastructure on which it is mounted by more than five additional (5) feet.
- 2. Where a new freestanding facility is proposed (that is not an attachment to an existing facility), a Stealth Freestanding Wireless Communications Facility may be permitted, provided that:
  - a. The facility:
    - i. Proposes a new structure that is architecturally compatible with the surrounding area through application of Camouflage and Concealment Design Techniques; and
  - b. The facility height is not more than:
    - i. 30 feet when the facility is within 250 feet of a property zoned AG, ED, NC, NI, RS, RA, and RU, and any other property zoned or predominantly used for residential purposes;
    - ii. 35 feet when the facility is within 250 feet of a property zoned OSR; or
    - iii. 40 feet in all other areas; and
  - c. The facility is separated from all other Freestanding Wireless Communications Facilities within the right-of-way by a distance of at least 600 feet, unless the facility replaces an existing traffic signal, street light pole, or similar structure as determined by the Director; and
  - d. When placed near a residential property, the facility is placed adjacent to the common side yard property line between adjoining residential properties, such that the facility minimizes visual impacts equitably among adjacent properties. In the case of a corner lot, the facility may be placed adjacent to the common side yard property line between adjoining residential properties, or on the corner formed by two intersecting streets. *See Figure 12-2-425, Wireless Placement Near Residential Properties.*

**Figure 12-2-425**  
**Wireless Placement Near Residential Properties**



**EXAMPLE: PLACED IN FRONT OF COMMON PROPERTY LINE BETWEEN ADJOINING RESIDENTIAL PROPERTIES**



**EXAMPLE: PLACED ON THE CORNER FORMED BY INTERSECTING STREETS**

3. All ground based equipment shall be installed in an underground or partially underground equipment vault (projecting not more than 36 inches above grade), or co-located within a traffic cabinet of a design approved by the Director, unless a conditional use is obtained subject to the conditional use standards set out in Section 12-14-607, *Wireless Communications Facilities Conditional Use Procedures*.
4. Non-stealth Freestanding Wireless Communications Facilities, facilities that exceed the maximum height in subsection (b)(ii) above, and facilities that do not meet the minimum spacing in subsection (b)(iii) above are prohibited unless a conditional use is obtained subject to the conditional use standards set out in Section 12-14-607, *Wireless Communications Facilities Conditional Use Procedures*.
5. *Timeframe for Review*. The Director shall render a decision within 90 days of the date upon which an applicant submits an application which is deemed complete by the Director.
6. *Abandonment*. Abandoned or unused Wireless Communications Facilities shall be removed within 180 days from the date of ceasing operations, unless a shorter timeframe is required by the City through approval of a license agreement executed by the City Manager. Failure to remove abandoned or unused Wireless Communications Facilities within the 180 day timeframe may result in City possession or City removal of abandoned or unused Wireless Communications Facilities with such actual costs assessed against the facility owner as identified in the applicable licensee agreement.
7. *Wireless Communications Facilities Courtesy Notice*. Applicant shall mail or otherwise deliver a physical Wireless Communications Facilities Courtesy Notice so that the notice is given least three (3) days prior to installation of the Wireless Communication Facility in the public right-of-way to all adjacent property owners within 200 feet. For purposes of this Section, Wireless Communications Facilities Courtesy Notice shall mean a written notification to adjacent property owners of an approved Wireless Communications Facility which shall illustrate or depict the appearance of the facility, set forth when the installation will begin and end, and include the relevant contact information for both the licensee and the party responsible for installation.

**Section 10.** Section 12-2-425(H), entitled *Wireless Communications Facilities, Submittal Requirements*, shall be amended to add the following definition of Radio Frequency Emissions to read in full as follows:

**6. Radio Frequency Emissions.** A statement of the expected radio frequency emissions produced by the proposed Wireless Communication Facility in relation to FCC rules. The statement must verify that the Wireless Communication Facility is compliant with the latest FCC rules and regulations.

**Section 11.** Table 12-2-503, entitled *Temporary Construction, Storage, and Refuse Collection Uses*, specifically the rows titled *Portable Storage Units* and *Temporary Dumpsters* shall be repealed and replaced to read in full as follows:

Table 12-2-503 Temporary Construction, Storage, and Refuse Collection Uses				
Temporary Use	Location of Use	Hours of Use	Operational Limitations	Duration of Use
Storage Pod use on non-residential property  (for Storage Pod use on residential property, see CMC Section 7-4-40)	On parcel or lot served by portable storage unit. No encroachment onto lawn areas or sidewalks is permitted. On nonresidential parcels, must be located behind principal building	-	-	If used for construction or renovation, may remain in place as long as a valid building permit is in place and until seven (7) days after the permit is closed.  If used for other purposes, seven (7) days unless, located behind the principal building and screened from view from public right-of-way, then one (1) year.
Temporary Dumpster use on non-residential property  (for Temporary Dumpster use on residential property, see CMC Section 7-5-40)	On parcel or lot using dumpster, set back at least 5 ft. from the property line on a hard surface.  In nonresidential and mixed-use districts, dumpsters shall be located behind buildings (where possible) and shall not obstruct required parking areas	-	Refuse shall be contained within the dumpster, and shall be secured if necessary to prevent it from being removed from the dumpster by wind or wildlife	If used for construction or renovation, may remain in place as long as a valid building permit is in place and until seven (7) days after the permit is closed.  If used for other purposes, seven (7) days unless, located behind the principal building and screened from view from public right-of-way, then one (1) year.

**Section 12.** Table 12-3-601, entitled *Permitted Projections into Required Setbacks*, shall be amended to change any reference to “arbors and trellises” to instead read as follows: “arbors, pergolas, and trellises.”

**Section 13.** The Side Setback Section of Table 12-3-601, entitled *Permitted Projections into Required Setbacks*, shall be repealed and replaced to read in full as follows:

Side Setback			
Overhanging eaves and gutters	2 ft.	1 ft.	Not Allowed
Air conditioning units	3 ft. without screening; up to 6 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	2.5 ft., if screened from view by a garden wall or hedge that is one foot taller than the equipment	Not Allowed
Driveways	NA	2 ft., unless shared	Permitted perpendicular connections only
Decks, less than four feet above grade	NA	3 ft., subject to Section 12-3-604; but 0 ft. if the adjacent lot is permanent open space	Not Allowed
Window wells	Exempt	Exempt	Not Allowed

**Section 14.** Section 12-3-602(C)(5) shall be repealed and replaced to read in full as follows:

5. The following materials are not allowed as fence or garden wall components: scrap lumber, plywood, tree branches, tree trunks, sheet metal, plastic or fiberglass sheets, barbed wire (except as provided in subsection C.3., above), spikes, nails, or other comparable sharp points, or fabric and/or mesh as a primary fence component.

**Section 15.** Section 12-3-602(C)(6) shall be repealed and replaced to read in full as follows:

6. The Fence, Finished Side shall face out toward any trail, open space, park or adjacent rights-of-way.

**Section 16.** Section 12-3-603(D)(4) shall be repealed and replaced to read in full as follows:

4. **Roof-pitch.** All detached garages shall be constructed with a minimum 4/12 slope roof-pitch, except in the event the principal structure contains a lesser slope.

**Section 17.** Section 12-3-603(D)(5)(a) shall be repealed and replaced to read in full as follows:

- a. Single-Story Detached Garages. Single-story detached garages may be constructed within building envelopes or in rear yards, provided that the garages are either:
  - i. Set back five feet from side, street side, and rear property lines and not encroaching into utility easements; or
  - ii. Set back according to lesser setback standards for garages, if they are specifically provided in Division 3-5, Housing Palette, for the type of housing with which the garage is associated.

**Section 18.** Section 12-3-607(C)(2) shall be repealed and replaced to read in full as follows:



**2. Ground-Mounts.** Ground or structure-mounted photovoltaic arrays (not mounted on buildings) shall be set back as if they were detached accessory buildings.

**Section 19.** Section 12-3-608, entitled *Refuse Containers*, shall be amended to add an additional subsection to read as follows:

**C. Adequacy of Refuse Containers.** The Director shall determine the adequacy of refuse containers and refuse container enclosures based upon the type of use, number of employees/patrons/dwelling units, and the frequency of refuse pickup and may require additional information from the applicant to verify such adequacy.

**Section 20.** Table 12-3-801, entitled *Permitted Projections into Required Nonresidential and Mixed-Use Setbacks*, shall be amended to change any reference to “arbors and trellises” to instead read as follows: “arbors, pergolas, and trellises.”

**Section 21.** Section 12-3-802(E) shall be repealed and replaced to read in full as follows:

**E. Orientation.** The Fence, Finished Side shall face out toward neighboring property or adjacent rights-of-way.

**Section 22.** Table 12-3-803A, entitled *Maximum Floor Area of Accessory Buildings / Footprint of Accessory Structures*, shall be repealed and replaced to read in full as follows:

Table 12-3-803A Maximum Floor Area of Accessory Buildings / Footprint of Accessory Structures										
District										Maximum Floor Area of Accessory Buildings is the Lesser of:
										Percentage of Lot Area
RS	RA	RU	NC	NI	CG	AC	UC	ED	OSR	10%
BP										10%
I										15%

**Section 23.** Section 12-3-803(C) shall be repealed and replaced to read in full as follows:

**C. Maximum Floor Area.** The maximum floor area of accessory buildings and the maximum footprint of accessory structures is set out in Table 12-3-803A, Maximum Floor Area of Accessory Buildings / Footprint of Accessory Structures. The maximum footprint of accessory structures noted in Table 12-3-803A shall be inapplicable to those carports which are also used to support photovoltaic arrays.

**Section 24.** Section 12-3-808(C), entitled *Loading, Truck Access, and Solid Waste Collection*, shall be amended to add an additional subsection to read as follows:

7. The Director shall determine the adequacy of refuse containers and refuse container enclosures based upon the type of use, number of employees/patrons/dwelling units, and the frequency of refuse pickup and may require additional information from the applicant to verify such adequacy.

**Section 25.** Section 12-5-204(A) shall be repealed and replaced to read in full as follows:

A. **Generally.** Some of the uses that are listed in the tables set out in Section 12-5-202, Required Off-Street Parking and Loading Spaces; have nonlinear or widely varying parking demand characteristics. Accordingly, their parking requirements are listed in the table as “special study.” Required parking for these uses shall be established by special study according to the standards of this Section. A special study shall also be required for any unlisted land use in Section 12-5-202, Required Off-Street Parking and Loading Spaces. Additionally, the Director is authorized to reduce the parking requirements of any land use through the review and approval of a special study that meets the requirements of subsection B., below.

**Section 26.** Section 12-5-204(B) shall be repealed and replaced to read in full as follows:

B. Requirements.

1. The special study shall be conducted by a qualified transportation planner or traffic engineer at the applicant’s expense. The study is subject to review and approval by the Director as noted below.

a. A peak parking analysis of at least five comparable uses and documentation regarding the comparability of the referenced uses, including: name, function, location, floor area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that could affect the parking demand; and

b. Documentation regarding the comparability of the referenced uses, including: name, function, location, floor area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that could affect the parking demand.

**Section 27.** Section 12-5-401(D)(2) shall be repealed and replaced to read in full as follows:

2. Loading spaces or parking spaces shall not be designed or located in a manner that blocks access to other loading spaces, parking spaces, driving aisles, fire lanes, ingress or egress points, streets or building entrances. The Director may modify this requirement as it applies to the temporary blocking of parking spaces and driving aisles (but not fire lanes, ingress or egress points, streets or building entrances) for sites less than one (1) acre in area.

**Section 28.** Existing Section 12-6-402(C), entitled *Exceptions and Special Provisions*, shall be renumbered to be 12-6-402(D) and a new 12-6-402(C), entitled *Design Standards* shall be inserted to read in full as follows:

**C. Design Standards.** Detached monument signs shall meet the following design standards:

1. The width of the sign structure base shall be no less than 80 percent of the width of the top of the sign;
2. Signs with internally-illuminated cabinets shall have a sign background that is opaque so that the portion of the sign that contains letters, figures and/or other means of communication or part thereof is only illuminated portion.
3. They shall be designed to mimic or complement the principal building on the lot that the sign is placed; and,
4. If no principal building exists, all monument signs shall be comprised solely of either fired clay brick, natural stone, natural wood, split-face or ground-face block, manufactured stone or tile, cementitious stucco; architectural metal, and/or other similar materials as approved by the Director.

**Section 29.** Section 12-6-502(B)(1) shall be repealed and replaced to read in full as follows:

1. No temporary sign shall be placed within the right-of-way (as provided in Section 12-6-302, Prohibited Sign Locations), or within 30 feet of the edge of pavement (whichever creates a greater setback from the edge of pavement), along the following street corridors:

- E. Arapahoe Road;
- E. Briarwood Avenue;
- E. Broncos Parkway;
- E. County Line Road;
- E. Dry Creek Road;
- E. Easter Avenue (East of S. Havana Street);
- E. Fremont Avenue (West of S. Jordan Road and east of S. Tucson Way);
- E. Orchard Road;
- E. Peakview Avenue;
- E. Smoky Hill Road;
- S. Broadway;
- S. Buckley Road;
- S. Colorado Boulevard;

- S. Chambers Road;
- S. Chester Street;
- S. Clinton Street;
- S. Dayton Street;
- S. Fraser Street;
- S. Havana Street;
- S. Himalaya Street;
- S. Holly Street;
- S. Jordan Road;
- S. Lima Street;
- S. Liverpool Street;
- S. Parker Road;
- S. Picadilly Street;
- S. Peoria Street;
- S. Potomac Street;
- S. Quebec Street;
- S. Reservoir Road;
- S. Tower Road;
- S. University Boulevard; and
- S. Yosemite Street.

**Section 30.** Section 12-6-301(C), entitled *Prohibited Design Elements*, shall be amended by repealing and replacing 12-6-301(C)(2)(a) to read in full as follows:

- a. Flags, balloons, inflatable objects, banners, or comparable elements that are designed to move in the wind that are not affixed to permanent flagpoles or flagpoles that are mounted to buildings.

**Section 31.** Section 12-6-503, entitled *Standards for Attached Temporary Signs*, shall be retitled as *Standards for Attached and Detached Temporary Signs*. In addition, Section 12-6-503 shall be repealed and replaced to read in full as follows:

### **Sec. 12-6-503 Standards for Attached and Detached Temporary Signs**

- A. **Generally.** Attached and detached temporary signs are permitted subject to the standards of this Section, for a duration as set out in Section 12-6-504, Duration of Temporary Signs.
- B. **Banners.** Banners are permitted in the CG, AC, UC, BP, I, ED, and OSR districts, provided that:
  - 1. There is only one banner per tenant per principal building;
  - 2. The banner is attached to the principal building, and complies with the standards of Section 12-6-302, Prohibited Sign Locations; and
  - 3. The sign area on the banner is not larger than the sign area allowed for a wall sign on the building upon which the banner is attached.
- C. **Sock Signs and Temporary Wall Signs.** Sock signs and temporary wall signs are permitted in CG, AC, UC, BP, I, ED and OSR districts, and may be installed upon issuance of a building permit. Such signs shall have a sign area that is not more than 15 percent larger than that which is permitted for the permanent sign for which the permit application was filed.
- D. **Window Signs.** Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the transparency standards of Section 12-6-401, Attached Signs, are met.

**Section 32.** Table 12-6-504(B), entitled *Duration of Attached Temporary Signs*, shall be repealed and replaced to read in full as follows:

District	AG	RS	RA	RU	NC	NI	CG	AC	UC	BP	I	ED	OSR
<b>Banners</b>													
Cloth, canvas, or comparable material	-												Must be removed within 24 hours of placement; signs may be placed not more than 14 days per year
Vinyl or comparable material	-												Signs may be placed not more than 90 days per year
<b>Sock Signs</b>													
Vinyl or comparable material	-												Signs may be placed after sign permit for permanent sign is issued, and for a period of not more than 30 days thereafter
<b>Temporary Wall or Fascia Signs</b>													
All materials	-												Signs may be placed after sign permit for permanent sign is issued, and for a period of not more than 30 days thereafter
<b>Window Signs</b>													
Inside window (all materials)	-												Not Limited
Outside window (all materials)	-												Signs must be removed not more than 15 days after placement

**Section 33.** Section 12-6-702(A) under Division 6-7, *Exterior Lighting Standards*, shall be repealed and replaced to read in full as follows:

- A. **Generally.** The exterior lighting standards are applicable to all land uses except single-family detached residential dwelling units on individual lots not governed by a site plan (subdivision development lighting for streets and residential developments are not exempt). For single-family detached residential dwelling units on individual lots not governed by a site plan, floodlights may only be used where there is external shielding and provided that light levels do not exceed the maximum foot-candle limits set forth in Table 12-6-705(D).

**Section 34.** Section 12-8-203, entitled *Selection of Plant Material*, shall be amended by adding a new subsection, Section 12-8-203(D)(4) to read in full as follows:

4. These biodiversity standards are encouraged but shall not be mandatory for development sites or development areas of less than two (2) acres.

**Section 35.** Section 12-8-204(B), entitled *Credit for Preservation of Trees*, shall be repealed and replaced to read as follows:

- B. **Credit for Preservation of Trees.** It is the policy of the City to promote the preservation of its healthy mature tree canopy. Healthy, mature trees that are preserved on-site shall count as more than one tree for the purposes of landscaping requirements for development and redevelopment pursuant to Section 12-12-402, Sliding Scale Compliance Requirements, as set out in Table 12-8-204, Credit for Preservation of Trees.

**Section 36.** Section 12-8-405(A), entitled *Surface Parking Lots*, shall be repealed and replaced to read in full as follows:

- A. **Surface Parking Lots.** Bufferyards that are located at the edges of surface parking lots shall include a continuous masonry wall, berm, or hedge that is at least three feet in height between parking spaces and a public or private street, private drive, and/or adjacent sites. This requirement shall be waived by the Director in areas where at least one of the following conditions exist:
1. The elevation of the parking lot is three feet or more below the elevation of the curb of the street;
  2. Buildings or other structures provide the same or better screening effect;
  3. The parking lot continues into adjacent site(s); or
  4. The bufferyard opacity is at least 40 percent.

**Section 37.** Section 12-11-203(B), entitled *Offsite Connectivity*, shall be repealed and replaced to read in full as follows:

- B. Offsite Connectivity.

1. Where existing alignments and existing development patterns make connections practical and useful, streets, sidewalks and trails and other pedestrian connections shall be extended to the boundaries of new development to provide for future public and private connections to abutting properties, and their design shall conform to the Roadway Design and Construction Standards Manual.
2. Wherever streets have been dedicated or platted on the adjacent properties for extension into or through a proposed development then those streets shall be connected and incorporated into the street layout of the proposed development.
3. Construction easements shall be dedicated to allow for adjacent development to connect to existing and/or planned connections as required by the Roadway Design and Construction Standards Manual or other applicable City plans.

**Section 38.** Section 12-14-401(B)(11), *Administrative Amendments, Drainage* shall be revised to read in full as follows:

11. **Drainage.** The Director may authorize changes to drainage routing and/or facility designs pursuant to the standards in the Stormwater Management Manual even if the changes affect an approved design standard on the development order (e.g., open space, setbacks, etc.).

**Section 39.** Section 12-14-401(B)(12), *Administrative Amendments, Public Improvements* shall be revised to read in full as follows:

12. **Public Improvements.** In a site plan or planned unit development for which the development order has not expired by way of conversion, sunset, or abandonment, the Director may authorize changes to the specifications of public improvements, provided that the modifications are consistent with the requirements of this LDC and the Roadway Design & Construction Standards Manual or other applicable standards manual.

**Section 40.** Section 12-14-401(B)(13), *Administrative Amendments, Signage, Lighting, Landscaping, Trash Disposal Areas, Architectural Treatment* shall be revised to read in full as follows:

13. **Signage, Lighting, Landscaping, Trash Disposal Areas, Architectural Treatment.** In a site plan or planned unit development for which the development order has not expired by way of conversion, sunset, or abandonment, the Director may authorize changes to signage, lighting, landscaping, trash disposal areas, and architectural treatment elements of approved development orders provided that the changes are consistent with the requirements of this LDC.

**Section 41.** Section 12-14-401(D), entitled *Specific Exclusions*, shall be repealed and replaced to read in full as follows:



**D. Specific Exclusions.** The following items are not eligible for approval as an administrative amendment under any circumstances:

1. An increase in the number of residential units;
2. A transfer of density from one phase to another or one site to another (where density by area or phase is specified on an approved development order); and
3. Increases to the approved building heights on a site plans, except as specifically provided in subsection B.7., above.

**Section 42.** Section 12-14-402, entitled *Major Changes*, shall be repealed and replaced to read in full as follows:

**A. Generally.** This section applies to any change to a development order that does not qualify for an administrative amendment pursuant to Section 12-14-401, Administrative Amendments. Such changes are considered “major changes” for the purposes of this Section.

**B. Required Approval.** A major change requires approval in accordance with 12-14-203, *Administrative Development Orders* or 12-14-204, *Public Hearing Development Orders*.

**C. Application Materials.**

1. A major change requires resubmittal of the original documents. The Director may waive any of the original submittal items if they do not affect the changes to the application.
2. When possible, the development standards should appear in a chart format comparing the approved and proposed standards.

**Section 43.** Section 12-14-504(B), entitled *Administrative Approval*, shall be repealed and replaced to read in full as follows:

**B. Administrative Approval.**

1. Site plans may be administratively approved by the Director pursuant to the site plan approval standards set forth in Section 12-14-602(D), *Approval Standards*, if:
  - a. the parcel proposed for development is more than 500 feet from a residential zoning district boundary in the City and either:
    - i. The parcel proposed for development is less than five acres in area; or
    - ii. None of the buildings or structures will be taller than 30 feet in height; or
  - b. They implement an approved Master Development Plan that has not been converted, sunsetted, or abandoned (hereinafter, “MDP”).

**Section 44.** Section 12-14-601(E), entitled *Annotation of Zoning Map*, shall be deleted in its entirety.

**Section 45.** Section 12-14-602(D)(10), *Approval Standards, Site Plans*, shall be deleted in its entirety.

**Section 46.** Section 12-14-604(E)(9)(a), *Approval Standards, Rezoning*, shall be repealed and deleted and the subsections under Section 12-14-604(E)(9) shall be updated and relabeled accordingly as (a) through (d).

**Section 47.** Section 12-14-902, *Regulating Plans*, subsection (B), *Regulating Plan Requirements*, shall be repealed and replaced to read in full as follows:

- B. Regulating Plan Application Requirements:** A Regulating Plan application must include the following information:
1. Letter of Intent
  2. Regulating Plan Document. The Regulating Plan shall establish the following:
    - a. Subdistrict boundaries;
    - b. Network and types of streets in the development;
    - c. Building types and frontage types within each subdistrict and block;
    - d. Building height ranges on each block face;
    - e. Number, general location, and types of residential units including a development phasing plan to phase the construction of residential uses to coordinate and coincide with the construction of non-residential uses to ensure a mixed-use project;
    - f. Designation of public spaces; and
    - g. Maximum gross floor area for each of the three districts: Center Subdistrict, General Subdistrict, and Edge Subdistrict.
  3. Name of proposed development.
  4. Sworn proof of ownership and a notarized letter of authorization from the landowner permitting a representative to process the application.
  5. Legal Description. An appropriate legal description of the parcel(s) proposed within the Regulating Plan, along with the area of the parcel(s) in acres or square feet.
  6. The existing zoning of the property.
  7. Public and private utility service lines and/or main lines with appurtenances.
  8. Title certificate or abstract of titles covering all lands to be conveyed to the City.
  9. Treasurer's Certificate of Taxes due.
  10. Drainage report, pursuant to the Stormwater Management Manual.

11. A Traffic Study prepared in accordance with the City of Centennial Guidelines for Traffic Impact Studies, if required by Section 12-10-202, Traffic Studies.
12. Applicable notes and certifications approved by the City Attorney that regulate the development (Airport Influence Area note, off-site improvements note, etc.).
13. Certifications. Standard certifications to include:
  - a. Owner's signature block, with date line and title line;
  - b. Planning and Zoning Commission recommendation block;
  - c. City Council approval block; and
  - d. Recorder's block.
14. Case Number Block. A case number block in the lower left-hand corner of the rezoning map sheet.

**Section 48.** Section 12-15-201, *Violations*, subsection (A), *Generally*, shall be repealed and replaced to read in full as follows:

- A. **Generally.** It shall be unlawful for a property owner or property tenant to use land; any building; or any structure erected, constructed, enlarged, altered, maintained, moved or used in a manner that is inconsistent:
1. With the requirements of this LDC; or
  2. With any terms and conditions of any permit or other land use approval or agreement, including, but not limited to, a development agreement, subdivision improvement agreement, or public improvement agreement.

A property owner's or property tenant's violation of these Regulations shall be considered unlawful and a public nuisance, and shall be subject to the civil remedies available pursuant to this Article and State and Federal law. Unless otherwise specified by this LDC, State law, or Federal law, violations of this LDC are minor offenses as defined by Section 2-3-20, Definitions, Centennial Municipal Code.

**Section 49.** Section 12-15-301, *Code Enforcement Procedures*, shall be repealed in its entirety and labeled as Reserved.

**Section 50.** Section 12-15-302, entitled *Immediate Orders, Permit Holds, and Judicial Remedies*, shall be amended to replace subsection (G), *Judicial Relief*, with a new subsection, (G) *Administrative Citation*. Further, a new subsection, (H) *Judicial Relief*, shall be inserted as follows:

- G. **Administrative Citation.** The City has the authority to issue administrative citations and assess administrative penalties pursuant to Article 9 of Chapter 2 of the Municipal Code.
- H. **Judicial Relief.**

1. In addition to any other remedies provided by this LDC or State or Federal law, the City, through the City Attorney, may initiate legal action in municipal court or other court of appropriate jurisdiction to enjoin, prevent, abate, or remove uses, maintenance activities (or lack thereof), erection of buildings, structures, or signs, or other construction, reconstruction, or alterations that are in violation of this LDC. The City also has the authority to enforce any violation of this LDC through an abatement action in the municipal court pursuant to Division 4 of Article 3 of Chapter 2 of the Centennial Municipal Code. In any court proceeding in which the City seeks a preliminary injunction, it shall be presumed that a violation of this LDC is a real, immediate and irreparable injury to the public; that the public will be irreparably injured by the continuation of the LDC violation unless the violation is enjoined; and that there is no plain or adequate remedy at law for the violation.
2. The City Attorney shall take whatever legal action is deemed appropriate for the abatement or removal of any violation of this LDC, in the manner provided for by law, and shall take other steps and shall apply to the municipal court or such other court as may have jurisdiction to grant such relief as will abate and remove such use, building or structure and restrain and enjoin such persons maintaining or using any such building or structure or using property contrary to the provisions of this LDC.

**Section 51.** Division 16-2, *General Definitions*, shall be amended as follows:

- Replace definition for **Group Home** to read in full as follows:

**Group Home** means a structure which provides residential, non-institutional housing for a group of six or more unrelated individuals or related and unrelated individuals, where physical assistance and/or other supportive services are provided by professional support persons. A group home shall have no more than twelve residents, not including persons providing support services to the residents, except as otherwise provided in this Code. A group home is further defined as Type A or Type B according to its client population.

- Replace the definitions for **College / University / Vo-Tech; Services, Commercial; Services, Personal; Services, Professional; Services, used alone; Personal Services; and Professional Services, Instruction, or Counseling** to read in full as follows:

**College / University / Vo-Tech** means a community college, college, university, vocational / technical school, trade school, language school, business school, training center, beauty school, culinary school, and comparable advanced or continuing education facilities. The phrase does not include music schools, fitness centers, sports instruction, swimming instruction, or martial arts instruction (See **Services, Commercial, Personal and Professional**)

**Services, Commercial** see **Services, Commercial, Personal and Professional**

**Services, Personal** see **Services, Commercial, Personal and Professional**

**Services, Professional** see **Services, Commercial, Personal and Professional**

**Services, used alone** see **Services, Commercial, Personal and Professional**

**Personal Services** see **Services, Commercial, Personal and Professional**

**Professional Services, Instruction, or Counseling** see **Services, Commercial, Personal and Professional**

- Add a new definition for **Services, Commercial, Personal and Professional** to read in full as follows:

**Services, Commercial, Personal and Professional** means medical and non-medical services that may be used on a recurring or drop in basis, may be one-to-one or group interaction between the proprietor or employee and the client. Examples of **Services, Commercial, Personal and Professional** are:

1. Health clubs, exercise studios, yoga studios, sports and swimming instruction, martial arts schools, music and dance instruction;
2. Nail salons, beauty and barber shops, skin and hair care, tanning salons, massage and day spas;
3. Tutoring; tailoring; counseling, accounting, insurance, real estate, finance, law; and
4. Similar services as determined by the Director.

- Add a new definition for **Fence, Finished Side** to read in full as follows:

**Fence, Finished Side shall mean** the polished side of a fence which is often called the “face” while the unfinished side is called the “back” and contains the horizontal fence supports (also called stringers) and the in-ground fence posts.

- Add a new definition for **Sign, Pole** to read in full as follows:

**Sign, Pole** means a sign that is affixed, attached, or erected on a pole that is not itself an integral part of or attached to a building or structure.

- Include an additional subsection after *14. Packaging of Products*, included as a part of the definition for *Light Industry and Wholesale*, to read as follows:

15. Pet Crematoriums

**Section 52.** Appendix C, *Plans*, shall be updated to repeal and replace the table entitled *Comprehensive Plan, Vision, Plan, and Sub-Area Plans* to read as follows:

City of Centennial, Colorado Comprehensive Plan, Vision, Plan, and Sub-Area Plans		
Title	Date Adopted	Internet Address (URL)
Centennial Strategic Framework	Adopted April 1, 2019	<a href="https://www.centennialco.gov/Government/Departments/City-Managers-Office/Strategic-Planning">https://www.centennialco.gov/Government/Departments/City-Managers-Office/Strategic-Planning</a>
Centennial NEXT (Comprehensive Plan)	Adopted September 26, 2018; Ratified November 5, 2018	<a href="https://www.centennialco.gov/Government/Departments/Community-Development/Long-Range-Comprehensive-Planning">https://www.centennialco.gov/Government/Departments/Community-Development/Long-Range-Comprehensive-Planning</a>
Centennial Trails and Recreation Plan	Adopted October 25, 2017; Ratified November 6, 2017	
Transportation Master Plan	Adopted November 20, 2013; Ratified December 9, 2013	
I-25 Corridor Sub-Area Plan	Adopted August 14, 2013; Ratified August 19, 2013.	
SouthGlenn Sub-Area Plan	Adopted July 8, 2009; Ratified September 14, 2009	
Central Centennial Boundary Plan	Adopted February 13, 2008; Ratified March 3, 2008	
Arapahoe Urban Center Sub-Area Plan	Adopted October 10, 2007; Ratified October 15, 2007	

**Section 53.** Appendix F, *Joint Planning Area Development Standards*, shall be repealed in its entirety and labeled as Reserved.

**Section 54.** Section 7-4-40, *Storage Pods restricted on residential Property*, shall be repealed and replaced to read in full as follows:

- (a) It is unlawful for any person to place a storage pod on any residential property except where one (1) of the following circumstances is found to exist:
  - (1) The storage pod is directly associated with and necessary for an activity being conducted pursuant to a valid and effective building permit issued by the City for the same property upon which the storage pod has been placed, except as provided in this Section. Any such storage pod must be removed within seven (7) days of the expiration of the building permit and/or the completion of the work for which the storage pod was necessary.
  - (2) The storage pod is being used in connection with work conducted on the same property for which a City-issued building permit is not required. Any such storage pod may not be located on the property for more than seven (7) consecutive days unless it is located behind the principal building and screened from view from the public right-of-way in which case the storage pod may be located on the property for one (1) year.
- (b) A storage pod located on residential property pursuant to this Section may not be placed within five (5) feet of any property line or public right-of-way.

**Section 55.** Section 7-5-40, *Dumpsters restricted on residential Property*, shall be repealed and replaced to read in full as follows:

- (a) It is unlawful for any person to place a dumpster on any residential property except where one (1) of the following circumstances is found to exist:

- (1) The dumpster is directly associated with and necessary for an activity being conducted pursuant to a valid and effective building permit issued by the City for the same property upon which the dumpster has been placed, except as provided in this Section. Any such dumpster must be removed within seven (7) days of the expiration of the building permit and/or the completion of the work for which the dumpster was necessary.
  - (2) The dumpster is being used in connection with work conducted on the same property for which a City-issued building permit is not required. Any such dumpster may not be located on the property for more than seven (7) consecutive days unless it is located behind the principal building and screened from view from the public right-of-way in which case the dumpster may be located on the property for one (1) year.
  - (3) The dumpster is located on property used for a multi-family residential use for the ongoing and permanent use of the residents for daily trash and solid waste disposal. Such dumpster shall be located and maintained in accordance with any other applicable requirement of this Code or the applicable zone district regulations for the property.
- (b) A dumpster located on residential property pursuant to this Section may not be placed within five (5) feet of any property line or public right-of-way.

**Section 56.** Section 10-8-120, entitled *Graffiti prohibited*, shall be repealed and replaced to read in full as follows:

**Sec. 10-8-120. - Graffiti prohibited.**

- (a) It is a violation of this Article for any person to commit graffiti. Graffiti shall mean to paint, spray paint, draw, write, etch, tag, carve, or by any similar method whatsoever to deface any public or private property without the express or written permission of the owner of said property.
- (b) It is a violation of this Article for a parent or legal guardian to knowingly fail to prevent their minor children from painting, spray painting, drawing, writing, etching, "Tagging," carving, or by any similar method whatsoever, defacing any public or private property except with the written permission of the owner of said property.
- (c) The City may order the occupant or owner of any public or private property on which graffiti is found to remove the graffiti, at the occupant or owner's sole expense, within seventy-two (72) hours, or such additional time as determined by the City in consultation with law enforcement and/or code enforcement. It is unlawful for any occupant or owner of property on which graffiti is found to fail to remove or cause to be removed graffiti as directed by the City.

**Section 57. Severability.** Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 58. Repeal.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**Section 59. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Stephanie Piko, Mayor

Approved as to Form:

\_\_\_\_\_  
For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2021 and ordered published one time by title only in *The Centennial Citizen* newspaper on \_\_\_\_\_, 2021, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk



FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2021, BY A VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ AGAINST.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2021, and ordered published by title only, one time by *The Centennial Citizen* newspaper on \_\_\_\_\_, 2021 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk